

REMARKS

In the Office Action, the Examiner objected to the specification and objected to claims 1-44. Each of the Examiner's objections is discussed below, along with an appropriate explanation or remedy.

5 In addition to the objections listed in the Office Action, a phone conversation on July 11, 2006, between the Applicant and Examiner resulted in the replacement of the words "common card" or "common cards" with "shared card" or "shared cards" to provide greater clarity of Applicant's desired meaning. Thus, all references to "common card" or "common cards" in the abstract, title, and specification, and claims have been
10 replaced with "shared card" or "shared cards".

Objection to the Specification

The specification is objected to and correction of the specification is required for interchangeably referring to U.S. Patent No. 5,320,356 as Patent 536 and Patent 356.

15 Applicant has removed all references to Patent 536 and replaced them with references to Patent 356. Withdrawal of this rejection is respectfully requested.

Objection to Claims for Informalities

20 Claims 2-42 stand objected for depending on preceding claims in part instead of as the whole. Applicant has canceled these claims and added new claims that rely upon preceding claims as the whole. Specifically, applicant uses the language

suggested by the Examiner in the Office Action: "The method of claim 1...". Withdrawal of this objection is respectfully requested.

5 **Rejection Under 35 USC 112, first paragraph**

Claims 7, 8, 13-16, 31, and 43 stand rejected under 35 USC 112, first paragraph, for failing to explain why the second common (or shared) card is dealt, or how the two common (or shared) cards are counted in the final hands. Following a discussion with the Examiner, the specific objection to these claims focuses on whether some or all of the common (or shared) cards are counted in the final hands of the player and dealer.

Applicant has replaced Claim 1 with Claim 45 which specifies that the "total value" of all common (or shared) cards is used to calculate the values of the player and dealer hands, at sections (i) and (j). Applicant also replaced Claims 7, 8, 13-16 and 31 with Claims 51, 52, 57-60, and 75 that depend upon Claim 45.

Further, Applicant has replaced Claim 43 with Claim 87 which specifies that the "total value" of all common (or shared) cards is used to calculate the values of the player and dealer hands, at sections (i) and (j).

Applicant respectfully submits that the objections to Claims 7, 8, 13-16, 31, and 43 have been overcome by Claims 51, 52, 57-60, 75, and 87, and, therefore, these new claims satisfy the requirements under 35 USC 112, first paragraph. Withdrawal of these objections is respectfully requested.

Rejection Under 35 USC 103(a)

Claims 1-14, 16-42, and 44 stand rejected under 35 USC 103(a) as unpatentable over Prior Art in view of Sardarian (US Patent No. 5,549,300). More specifically, the Prior Art in view of Sandarian teaches Twenty-One games using common (or shared
5 cards) that allow for taking additional cards, not taking additional cards, splitting cards and other game-play decisions.

Applicant respectfully submits that the Prior Art and Sardarian are unrelated to the present application and provide no grounds for rejection. Applicant points out that the present application keeps the values of the common (or shared) cards unknown
10 during game-play decisions. The games described in the Prior Art, however, the values of the common (or shared) cards are known during game-play decisions.

In the first Prior Art game, as described as a preferred embodiment of U.S. Patent No. 5,320,356, the common (or shared) card is dealt face-down but then revealed before the player and dealer make their decision to hit, stand, double or split
15 their cards; and

In the second Prior Art game, as described as a preferred embodiment of US Patent No. 5,934,675, the common (or shared) cards is dealt face-up and, therefore, used by the player and dealer to decide whether to hit, stand, or make other game-play decisions.

To further highlight the novelty of unknown values of the common (or shared)
20 cards, Applicant has replaced Claim 1 with Claim 45 which specifies that the values of all common (or shared) remain unknown until all player and dealer decisions are

completed. Applicant also replaced Claims 2-14 and 16-42, with Claims 46-58 and 60-86 that depend upon Claim 45.

Further, Applicant has replaced Claim 43 and 44 with Claims 87 and 88 which specify that the values of all common (or shared) remain unknown until all player and dealer decisions are completed.

Thus, Applicant respectfully submits that the objections to Claims 1-14, 16-42, and 44 have been overcome by Claims 46-58 and 60-88 and, therefore, these new claims satisfy the requirements under 35 USC 103(a), first paragraph. Withdrawal of these objections is respectfully requested.

Conclusion

In view of the foregoing remarks, Applicants respectfully submit that the present application is a novel method of playing a Twenty-One game and prior art does not show or suggest the novel features recited in claims 45-88. Thus, Applicants respectfully request that claims 45-88 be passed to issue. If there are any matters that would delay this Application from passing to issue, the Examiner is requested, at the earliest convenience, to telephone the undersigned.

Applicant strongly emphasizes that one reviewing the prosecution history should not interpret any of the examples Applicant has described herein in connection with distinguishing over the prior art as limiting to those specific features in isolation. Rather, Applicant asserts that it is the combination of elements recited in each of the claims, when each claim is interpreted as a whole, which is patentable.

Applicant has emphasized certain features in the claims as clearly not present in the cited references, as discussed above. However, Applicant does not concede that other features in the claims are found in the prior art. Rather, for the sake of simplicity, Applicant is providing examples of why the claims described above are distinguishable
5 over the cited prior art.

Applicant wishes to clarify for the record, if necessary, that the claims have been amended to expedite prosecution. Moreover, Applicant reserves the right to pursue the original subject matter recited in the present claims in a continuation application.

Any narrowing amendments made to the claims in the present Amendment are
10 not to be construed as a surrender of any subject matter between the original claims and the present claims; rather merely Applicant's best attempt at providing one or more definitions of what the Applicant believes to be suitable patent protection. In addition, the present claims provide the intended scope of protection that Applicant is seeking for this application. Therefore, no estoppel should be presumed, and Applicant's claims
15 are intended to include a scope of protection under the Doctrine of Equivalents.

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For all the reasons advanced above, Applicant respectfully submits that the rejections have been overcome and should be withdrawn.

For all the reasons advanced above, Applicant respectfully submits that the Application is in condition for allowance, and that such action is earnestly solicited.

Respectfully submitted,



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